

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

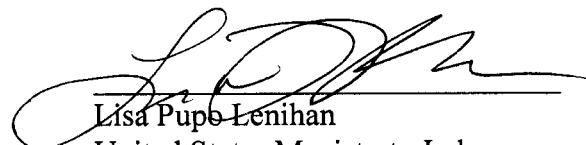
DALE FOSTER, )  
Plaintiff, ) Civil Action No. 03 - 328E  
v. )  
MICHAEL HAJDUK, ET AL, )  
Defendants. )

**ORDER**

AND NOW, this 22 day of September, 2005, the court has been advised by counsel for the parties that the above-captioned action has been settled and that the only matters remaining to be completed is the submission of a stipulation for dismissal under Fed.R.Civ.P. 41(a). It appears that there is no further action required by the court at this time.

**IT IS HEREBY ORDERED** that the Clerk mark the above-captioned case closed; that nothing contained in this order shall be considered a dismissal or disposition of this action, and that should further proceedings therein become necessary or desirable, either party may initiate the same in the same manner as if this order had not been entered.

Dated: 9-22-05



Lisa Pupo Lenihan  
United States Magistrate Judge

cc: Carl R. Schiffman  
Schiffman, Wojdowski & Chiurazzi  
1300 Fifth Avenue  
Pittsburgh, PA 15219

Scott A. Millhouse  
Richard S. Caciello  
Meyer, Darragh, Buckler, Bebenek & Eck  
600 Grant Street  
US Steel Tower, Suite 4850  
Pittsburgh, PA 15219

Marna K. Blackmer  
Walsh Collis & Blackmer  
707 Grant Street  
Gulf Tower, Suite 2300  
Pittsburgh, PA 15219